

Exhibit D

DeLoach, Juanita

From: Lewis Hudnell <lewis@colvinhudnell.com>
Sent: Friday, January 31, 2014 1:52 PM
To: DeLoach, Juanita
Cc: Nelson, Mark C.
Subject: Re: [RPost/Citi/Intuit] Draft copies of Agreed Motion to Withdraw/Stay and Proposed Order

Juanita,

I discussed Defendants' approach with RPost and they do not wish to proceed in this manner. Rather, they prefer an approach similar to what I suggested yesterday. I propose that we call Judge Gilstrap's clerk and inform her that Citi/Intuit's motion is still pending. And that in light of yesterday's order, the parties agree not to submit further briefing on the motion and request that the Court enter a ruling on the motion. Indeed, under L.R.7(f), the Court does not need to wait for a reply or surrply to rule on a motion. Of course, we fully expect the Court to adopt the ruling in yesterday's order. Thus, this approach will yield the same result as Defendants' approach. The difference for RPost, however, is that by having the Court enter a ruling, RPost's preserves its right to seek reconsideration.

Please let me know if the approach that I describe is acceptable to Citi and Intuit. And if so, please let me know when you would like to call the clerk. Many thanks.

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On Fri, Jan 31, 2014 at 2:21 PM, DeLoach, Juanita <juanita.deloach@dentons.com> wrote:

Hi, Lewis.

Per our telephone conversation yesterday, I am sending you the drafts of the Agreed Motion to Withdraw Citigroup's Motion to Dismiss/Stay, Intuit's Joinder Notice, and RPost's Opposition Brief. I've include a Proposed Order.

Please review the documents and let me know if you have any edits or comments. You can redline or just send me your comments/edits.

Again, thank you for your time in advance.

Regards,

Juanita



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